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L.B.F. 3015.1

## UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: James M. Fox Jason M. Slovak	Case No.:
	Debtor(s)
	Chapter 13 Plan
Original	
□ Amended	
Date: <b>January 24, 20</b>	<u>20</u>
	THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13 OF THE BANKRUPTCY CODE
	YOUR RIGHTS WILL BE AFFECTED
hearing on the Plan pro carefully and discuss th	yed from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation posed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers nem with your attorney. ANYONE WHO WISHES TO OPPOSE ANY PROVISION OF THIS PLAN MUST FILE A ION in accordance with Bankruptcy Rule 3015 and Local Rule 3015-4. This Plan may be confirmed and become binding, tion is filed.
	IN ORDER TO RECEIVE A DISTRIBUTION UNDER THE PLAN, YOU MUST FILE A PROOF OF CLAIM BY THE DEADLINE STATED IN THE NOTICE OF MEETING OF CREDITORS.
Part 1: Bankruptcy Ru	le 3015.1 Disclosures
	Plan contains nonstandard or additional provisions – see Part 9
	Plan limits the amount of secured claim(s) based on value of collateral – see Part 4
	Plan avoids a security interest or lien – see Part 4 and/or Part 9
Part 2: Plan Payment,	Length and Distribution – PARTS 2(c) & 2(e) MUST BE COMPLETED IN EVERY CASE
Debtor shall plebtor shall p	Amount to be paid to the Chapter 13 Trustee ("Trustee") \$ 42,240.00 pay the Trustee \$ 704.00 per month for 60 months; and pay the Trustee \$ per month for months. in the scheduled plan payment are set forth in § 2(d)
The Plan payment added to the new month	Amount to be paid to the Chapter 13 Trustee ("Trustee") \$
§ 2(b) Debtor shal when funds are availab	Il make plan payments to the Trustee from the following sources in addition to future wages (Describe source, amount and date le, if known):
	e treatment of secured claims:  None" is checked, the rest of § 2(c) need not be completed.
<b>—</b> 110He. II	Trote is enecked, the rest of § 2(e) need not be completed.

Debtor	James M. Fox Jason M. Slovak		Case number		
	Sale of real property ee § 7(c) below for detailed description	on			
	Loan modification with respect to ee § 4(f) below for detailed description		ering property:		
§ 2(d)	Other information that may be imp	portant relating to t	he payment and length of Plan:		
§ 2(e)	Estimated Distribution				
A	A. Total Priority Claims (Part 3)				
	1. Unpaid attorney's fees		\$	4,300.00	
	2. Unpaid attorney's cost		\$	0.00	
	3. Other priority claims (e.g., p	priority taxes)	\$	6,531.73	
I	B. Total distribution to cure defau	ılts (§ 4(b))	\$	27,136.29	
(	C. Total distribution on secured co	laims (§§ 4(c) &(d))	\$	0.00	
I	D. Total distribution on unsecured	d claims (Part 5)	\$	47.98	
		Subtotal	\$	38,016.00	
I	E. Estimated Trustee's Commissi	on	\$	4,224.00	
I	F. Base Amount		\$	42,240.00	
Part 3: Prio	ority Claims (Including Administrativ	e Expenses & Debto	r's Counsel Fees)		
§	3(a) Except as provided in § 3(b) be	elow, all allowed pr	iority claims will be paid in full u	unless the creditor agrees oth	erwise:
Creditor David B. Spitofsky, Esquire 55151 Internal Revenue Service Pennsylvania Department of Revenue		Type of Priority Attorney Fee 11 U.S.C. 507(a) 11 U.S.C. 507(a)	(8)	timated Amount to be Paid	\$ 4,300.00 \$ 2,167.43 \$ 4,364.30
§	3(b) Domestic Support obligations	assigned or owed to	a governmental unit and paid le	ess than full amount.	
ı	None. If "None" is checked,	the rest of § 3(b) nee	d not be completed or reproduced.		
Part 4: Sec	eured Claims				
§	4(a) ) Secured claims not provided	for by the Plan			
[ Creditor	None. If "None" is checked,	the rest of § 4(a) nee	d not be completed.  Secured Property		
	xed, debtor will pay the creditor(s) list nce with the contract terms or otherwit. of HUD		625 W. Valley Forge Road K Montgomery County Fair market value: \$350,000. \$315,000.00	_	,000.00) =

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Debtor	James M. Fox	Case number	
	Jason M. Slovak		

#### § 4(b) Curing Default and Maintaining Payments

None. If "None" is checked, the rest of § 4(b) need not be completed.

The Trustee shall distribute an amount sufficient to pay allowed claims for prepetition arrearages; and, Debtor shall pay directly to creditor monthly obligations falling due after the bankruptcy filing in accordance with the parties' contract.

Creditor	Description of Secured Property and Address, if real property	Current Monthly Payment to be paid directly to creditor by Debtor	Estimated Arrearage	Interest Rate on Arrearage, if applicable (%)	Amount to be Paid to Creditor by the Trustee
Franklin Mint FCU	2013 Toyota Highlander 200,000 miles	Per loan agreement	Prepetition: \$ <b>2,352.00</b>	0.00%	\$2,352.00
Shellpoint Mortgage Servicing	625 W. Valley Forge Road King of Prussia, PA 19406 Montgomery County Fair market value: \$350,000.00 - 10% cost of sale (\$35,000.00) = \$315,000.00	Per loan agreement	Prepetition: \$ 24,784.29	0.00%	\$24,784.29

 $\S$  4(c) Allowed Secured Claims to be paid in full: based on proof of claim or pre-confirmation determination of the amount, extent or validity of the claim

None. If "None" is checked, the rest of § 4(c) need not be completed or reproduced.

§ 4(d) Allowed secured claims to be paid in full that are excluded from 11 U.S.C. § 506

None. If "None" is checked, the rest of § 4(d) need not be completed.

#### § 4(e) Surrender

- None. If "None" is checked, the rest of § 4(e) need not be completed.
- (1) Debtor elects to surrender the secured property listed below that secures the creditor's claim.
  - (2) The automatic stay under 11 U.S.C. § 362(a) and 1301(a) with respect to the secured property terminates upon confirmation of the Plan
  - (3) The Trustee shall make no payments to the creditors listed below on their secured claims.

Creditor	Secured Property
Santander Consumer USA	2015 Ford Expedition 105,000 miles

#### § 4(f) Loan Modification

**None**. If "None" is checked, the rest of  $\S 4(f)$  need not be completed.

### Part 5:General Unsecured Claims

### § 5(a) Separately classified allowed unsecured non-priority claims

None. If "None" is checked, the rest of § 5(a) need not be completed.

#### § 5(b) Timely filed unsecured non-priority claims

- (1) Liquidation Test (check one box)
  - All Debtor(s) property is claimed as exempt.

Debtor	r James M. Fox Jason M. Slovak	Case number
	☐ Debtor(s) has non-exempt property valued at of \$ to allowed priority and unsecured	\$ for purposes of § 1325(a)(4) and plan provides for distribution d general creditors.
	(2) Funding: § 5(b) claims to be paid as follows (check	one box):
	■ Pro rata	
	□ 100%	
	☐ Other (Describe)	
Part 6: I	: Executory Contracts & Unexpired Leases	
	None. If "None" is checked, the rest of § 6 need not be con	mpleted or reproduced.
Part 7: 0	: Other Provisions	
	§ 7(a) General Principles Applicable to The Plan	
	(1) Vesting of Property of the Estate ( <i>check one box</i> )	
	Upon confirmation	
	☐ Upon discharge	
in Parts 3	(2) Subject to Bankruptcy Rule 3012, the amount of a creditor's clais 3, 4 or 5 of the Plan.	m listed in its proof of claim controls over any contrary amounts listed
to the cre	(3) Post-petition contractual payments under § 1322(b)(5) and adequeteditors by the debtor directly. All other disbursements to creditors shared	nate protection payments under § 1326(a)(1)(B), (C) shall be disbursed all be made to the Trustee.
	(4) If Debtor is successful in obtaining a recovery in personal injury etion of plan payments, any such recovery in excess of any applicable e necessary to pay priority and general unsecured creditors, or as agreed	xemption will be paid to the Trustee as a special Plan payment to the
	§ 7(b) Affirmative duties on holders of claims secured by a secur	rity interest in debtor's principal residence
	(1) Apply the payments received from the Trustee on the pre-petitio	n arrearage, if any, only to such arrearage.
the terms	(2) Apply the post-petition monthly mortgage payments made by thems of the underlying mortgage note.	e Debtor to the post-petition mortgage obligations as provided for by
	(3) Treat the pre-petition arrearage as contractually current upon corpayment charges or other default-related fees and services based on the etition payments as provided by the terms of the mortgage and note.	nfirmation for the Plan for the sole purpose of precluding the imposition pre-petition default or default(s). Late charges may be assessed on
provides	(4) If a secured creditor with a security interest in the Debtor's propes for payments of that claim directly to the creditor in the Plan, the hole	erty sent regular statements to the Debtor pre-petition, and the Debtor der of the claims shall resume sending customary monthly statements.
filing of	(5) If a secured creditor with a security interest in the Debtor's proposed the petition, upon request, the creditor shall forward post-petition could	erty provided the Debtor with coupon books for payments prior to the pon book(s) to the Debtor after this case has been filed.
	(6) Debtor waives any violation of stay claim arising from the se	nding of statements and coupon books as set forth above.
	§ 7(c) Sale of Real Property	
	None If "None" is checked the rest of 8.7(c) need not be completed	atad

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Debtor	James M. Fox Jason M. Slovak	Case number
		") shall be completed within months of the commencement of this bankruptcy case (the editor will be paid the full amount of their secured claims as reflected in § 4.b (1) of the
	(2) The Real Property will be marketed for sale in	n the following manner and on the following terms:
this Plan U.S.C. §	l encumbrances, including all § 4(b) claims, as may shall preclude the Debtor from seeking court appropriate the court appropriate the property of the seeking court appropriate the property of the seeking court appropriate the seeking court appro	order authorizing the Debtor to pay at settlement all customary closing expenses and all by be necessary to convey good and marketable title to the purchaser. However, nothing in oval of the sale of the property free and clear of liens and encumbrances pursuant to 11 Plan, if, in the Debtor's judgment, such approval is necessary or in order to convey the circumstances to implement this Plan.
	(4) Debtor shall provide the Trustee with a copy of	of the closing settlement sheet within 24 hours of the Closing Date.
	(5) In the event that a sale of the Real Property ha	as not been consummated by the expiration of the Sale Deadline:
Part 8:	Order of Distribution	
	The order of distribution of Plan payments wil	d be as follows:
	Level 1: Trustee Commissions* Level 2: Domestic Support Obligations Level 3: Adequate Protection Payments Level 4: Debtor's attorney's fees Level 5: Priority claims, pro rata Level 6: Secured claims, pro rata Level 7: Specially classified unsecured claims Level 8: General unsecured claims Level 9: Untimely filed general unsecured non-pressure of the secured secure	riority claims to which debtor has not objected
*Percen	tage fees payable to the standing trustee will be pa	aid at the rate fixed by the United States Trustee not to exceed ten (10) percent.
Part 9: 1	Nonstandard or Additional Plan Provisions	
	ankruptcy Rule 3015.1(e), Plan provisions set forth dard or additional plan provisions placed elsewhere	n below in Part 9 are effective only if the applicable box in Part 1 of this Plan is checked. e in the Plan are void.
<b>=</b> 1	None. If "None" is checked, the rest of § 9 need no	t be completed.
Part 10:	Signatures	
provisio	By signing below, attorney for Debtor(s) or unreputer of the Plan.	presented Debtor(s) certifies that this Plan contains no nonstandard or additional
Date:	January 24, 2020	/s/ David B. Spitofsky, Esquire
		David B. Spitofsky, Esquire 55151 Attorney for Debtor(s)
	If Debtor(s) are unrepresented, they must sign bel	low.

/s/ James M. Fox

/s/ Jason M. Slovak

James M. Fox

Debtor

Date: January 24, 2020

Date:

January 24, 2020

Debtor James M. Fox Case number
Jason M. Slovak

**Jason M. Slovak** Joint Debtor